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THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.43

AMARAVATI, MONDAY, OCTOBER 31, 2022

G.1016

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,**

4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.

F.No.01 / CTR / M / 2021.

Date: 28-09-2022.

ANNAMAYYA DISTRICT (ERSTWHILE CHITTOOR DISTRICT) PEDDAMANDYAM MANDAL - ASHOORKHANA SITUATED AT PATHOOR, KALICHERLA VILLAGE - Sri SYED MOHAMMED ASHRAF, S/o. Late. SYED KHAJA VALI RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF ACT, 1995.

- Read : 1. Report of Inspector Auditor Waqfs, Chittoor District, vide Lr. No.12/IAW/CTR/2020, dated:25-08-2020 along with copy of representationof Sri. Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali along with other documents.
2. This Office paper Notification dated:25-02-2021.
3. Report of the I.A.Waqf, Chittoor District, vide Lr. No. 12/IAW/CTR/2020, Dated.07-06-2021 along with notification publication in Andhra Jyothi news paper clipping.
4. Board's Resolution No.336 of 2022, dated:24-08-2022.
5. Orders of the Hon'ble Chairperson, APSWB, dated.21-09-2022.

ORDER:

The Waqf institution namely Ashoorkhana and its attached property to an extent of Ac.0.25 cents in Sy.No.1304 situated at Pathoor of Kalicherla Village, Peddamandyam Mandal, of Chittoor District are notified Waqf and got Published in A.P. Gazette No.26, Part-II, Dated:28-06-1962 in page Nos. 816 & 817 at serial No.2916 under the Towliath of Syed Maqdoom Saheb, who expired long back. The rule of succession to the office of Mutawalli is hereditary by custom.

In the ref. 1st read above, the Inspector Auditor Waqf, Chittoor has submitted his report along with copy of representation of Sri. Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali along with relevant documents, has informed that the subject Ashoorkhana has been managed by Sri.Syed Maqdoom Saheb till his death on 20-01-2002 who was notified Mutawalli of the institution and after that Sri. Syed Khaja Vali was managed the affairs of the subject Ashoorkhana and he died on 04-05-2017. Further Sri.Syed Mohammed Ashraf is performing duties of Mutawalli and conducting all religious ceremonies with his own fund due to subject institution has no income of source. Finally the I.A Waqf Chittoor District has recommended the candidature of applicant to appoint him as hereditary Mutawalli of the subject Waqf institution.

In the ref 2nd read above this office has issued paper notification duly inviting claims and objections, if any for appointment of Sri. Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali as Mutawalli to the subject Waqf institution may file their claims and objection within a period of (15) days from the date of Publication of this Notification

In the ref. 3rd read above, the Inspector Auditor Waqf, Chittoor District, has reported that the paper notification was published in Andhra Jyothi Telugu daily District edition of Chittoor on 18-03-2021 and no claims and objections were received against the aforesaid notification and requested to take further action in the subject matter.

The subject matter was placed before the Board and the Board has passed resolution No.336 of 2022, dated.24-08-2022 vide ref.4th read above to recognize Sri. Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali as Mutawalli U/sec.42 of Waqf Act, 1995 to Ashoorkhana situated at Pathoor, Kalicherla Village, Paddamandyam Mandal, Annamayya District.

Accordingly, Sri.Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali is hereby recognized as Mutawalli to Ashoorkhana situated at Pathoor, Kalicherla Village, Paddamandyam Mandal, Annamayya District U/sec.42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not be entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also note that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / withhold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To

Sri.Syed Mohammed Ashraf, S/o. Late. Syed Khaja Vali,
 Mutawalli of Ashoorkhana at Pathoor, Kalicherla Village,
 Paddamandyam Mandal, Annamayya District.